



United States

CONSUMER PRODUCT SAFETY COMMISSION

Washington, D.C. 20207

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MEMORANDUM

DATE: APR 24 1997

TO : The Commission

Through: Sadye E. Dunn, Secretary *SDunn*  
Pamela Gilbert, Executive Director *PG*

FROM : Jeffrey S. Bromme, General Counsel *JB*  
Richard W. Allen, Assistant General Counsel *RWA*  
Joseph F. Rosenthal, Attorney *R*

SUBJECT: Federal Register Notices for Privacy Act  
Systems of Records: Four Systems of Records  
and an Exemption Regulation

Ballot Vote due MAY 5 1997

The Privacy Act requires agencies to publish in the Federal Register notices of new or substantially altered systems of records, i.e., systems from which personal information, confidential or not, is retrieved by personal name or identifier. The attached proposed Federal Register notice adds four systems of records to the Commission's inventory of Privacy Act systems and deletes one system that no longer exists.

We have identified four systems of records at the Commission that have not been published in the Federal Register: (1) the Commission's enforcement and investigations files, (2) the "Integrated Field System" automated system that tracks the activities of employees in the Directorate for Field Operations, (3) the subset of the Commission's procurement files that involve procurements from vendors who are individuals rather than companies, and (4) the procurement integrity files that contain the social security numbers of employees involved in procurement activities.

Also included in this package is a proposed regulation exempting the new enforcement and litigation files system from most of the access provisions of the Privacy Act.

The system to be deleted is the Western Regional Center's outreach tracking system, previously published as a Privacy Act system of records, which no longer exists.

NOTE: This document has not been  
reviewed or accepted by the Commission.

Initial rh Date 4/24/97

CPSA 6 (b)(1) Cleared

☒ No Mtrs/Privtblrs

Products Identified

☒ Excepted

Firms Notified

The Privacy Act also requires that reports on new systems of records be submitted to OMB and the Congress. In accordance with Appendix I to OMB Circular A-130, we have prepared the attached letters to OMB, the Chairman of the Committee on Government Reform and Oversight of the House of Representatives, and the Chairman of the Committee on Governmental Affairs of the Senate. Each letter will include the attached "Narrative Statements," also required by Circular A-130, and a copy of the Federal Register notice itself.

Please indicate your vote on the following options.

I. Approve the Federal Register notice and letters as drafted.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

II. Approve the Federal Register notice and letters with the following changes (Please Specify):

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

II. Do not approve the Federal Register notice and letters.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

IV. OTHER (please specify).

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

Attachment(s)

{Billing Code 6335-01}

**CONSUMER PRODUCT SAFETY COMMISSION**

Privacy Act of 1974; Announcement of Systems of Records and Deletion of System of Records.

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Announcement of systems of records.

**DATES:** The newly published systems of records will become effective on [insert date 40 days from date of publication in the FEDERAL REGISTER] unless comments are received which require a contrary determination. The deletion of a system of records is effective immediately.

**ADDRESSES:** Comments should be mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207, or E-Mailed to [cpssc-os@cpssc.gov](mailto:cpssc-os@cpssc.gov).

**FOR FURTHER INFORMATION CONTACT:** Joseph F. Rosenthal, Office of the General Counsel, Consumer Product Safety Commission, Washington, DC 20207, Telephone (301) 504-0980.

**SUPPLEMENTARY INFORMATION:** The Consumer Product Safety Commission is publishing notice of four systems of records and is deleting one system of records.

The first system of records, Enforcement and Investigation Files--CPSC-7, covers the various kinds of documents which are assembled and indexed to support actual or potential actions to enforce the Commission's statutes and regulations. A proposed regulation exempting these documents from certain provisions of the Privacy Act appears elsewhere in this issue of the FEDERAL REGISTER.

The second system of records, Integrated Field System--CPSC-8, covers a computerized system that records and retrieves the various investigatory and other actions carried out by individual members of the Commission's field staff.

The third system of records, Procurement Files--CPSC-10, consists of that subset of the Commission's procurement files relating to procurements from individuals, as opposed to files on procurements from business entities which are not subject to the Privacy Act.

The fourth system of records, Procurement Integrity Files--CPSC-18, covers a file of paper forms, alphabetized by name, which contains the social security numbers of Commission employees involved in procurement activities.

A previously published system of records, Western Regional Center Outreach Records--CPSC-21, no longer exists and is being deleted.

The Chairman of the Committee on Governmental Affairs of the Senate, the Chairman of the Committee on Government Reform and Oversight of the House of Representatives, and the Office of Management and Budget have been notified of these systems.

Accordingly, CPSC-21 is removed and reserved and the following four systems are added to the Consumer Product Safety Commission's inventory of Privacy Act notices.

Dated:

Sadye E. Dunn, Secretary  
Consumer Product Safety Commission

## **CPSC-7**

### **System name:**

Enforcement and Investigation Files

### **System location:**

Office of Compliance, and  
Office of the General Counsel  
Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, MD 20814

### **Categories of individuals covered by the system:**

Individuals who are the authors or recipients of documents received by, or generated by, the Consumer Product Safety Commission in preparation for, or the conduct of, potential or actual administrative or judicial enforcement actions and individuals mentioned in such documents.

### **Categories of records in the system:**

Memoranda, correspondence, test reports, injury reports, notes, and any other documents relating to the preparation for, or conduct of, potential or actual administrative or judicial enforcement actions. The materials may contain personal information as well as purely legal and technical information.

### **Authority for maintenance of the system:**

15 U.S.C. 1194, 1195, 1196, 1264, 1265, 2069, 2070.

### **Purpose(s):**

These files are used by Commission attorneys, compliance officers, and supporting technical staff investigating product hazards and enforcing the Commission's statutory authority.

### **Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

These records may be cited and quoted in the course of enforcement negotiations, and in pleadings filed with an adjudicative body and served on

opposing counsel. They may be disclosed to the Department of Justice in connection with the conduct of litigation.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Records are stored in file folders or computer files or both.

**Retrievability:**

Paper records may be filed by and retrievable by name of the document's author or addressee or by other indicia. Computer records are indexed by, and retrievable by the names and other indicia of authors and addressees, and may permit retrieval by names elsewhere in documents.

**Safeguards:**

Paper records are kept in secure areas. Computer records are protected by passwords available only to staff with a need to know.

**Retention and disposal:**

Computer records are kept indefinitely. Paper records are transferred to the Federal Records Center five years after case is closed.

**System manager(s) and address:**

General Counsel and Director, Office of Compliance  
Consumer Product Safety Commission  
Washington, DC 20207

**Notification procedure:**

Freedom of Information/Privacy Act Officer  
Consumer Product Safety Commission  
Washington, DC 20207

**Record access procedures:**

Same as notification.

**Contesting record procedures:**

Same as notification.

**Record source categories:**

These records come from organizations and individuals under investigation, from Commission attorneys, compliance officers, investigators, and supporting technical staff, and from other sources of information relevant to an investigation or adjudication.

**Systems exempted from certain provisions of the act:**

All portions of this system of records which fall within 5 U.S.C. 552a(k)(2) (investigatory materials compiled for law enforcement purposes) are exempt from the provisions of 5 U.S.C. 552a(c)(3) (mandatory accounting of disclosures); 5 U.S.C. 552a(d) (access by individuals to records that pertain to them); 5 U.S.C. 552a(e)(1) (requirement to maintain only such information as is relevant and necessary to accomplish an authorized agency purpose); 5 U.S.C. 552a(e)(4)(G) (mandatory procedures to notify individuals of the existence of records pertaining to them); 5 U.S.C. 552a(e)(4)(H) (mandatory procedures to notify individuals how they can obtain access to and contest records pertaining to them); 5 U.S.C. 552a(e)(4)(I) (mandatory disclosure of record source categories); and the Commission's regulations in 16 CFR Part 1014 that implement these statutory provisions.

**CPSC-8**

**System name:**

Integrated Field System

**System location:**

Directorate for Field Operations  
Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, MD 20814

**Categories of individuals covered by the system:**



Personnel of the Consumer Product Safety Commission and persons signing affidavits related to items acquired for testing or evidentiary purposes by the Commission.

**Categories of records in the system:**

These records contain data regarding inspections, accident investigations, recall effectiveness checks, and the collection and custody of product samples for testing or evidentiary purposes. These records contain task assignments made to field personnel, the names of the designated personnel and their supervisors, initial target completion dates, revised target completion dates, and actual completion dates.

**Authority for maintenance of the system:**

15 U.S.C. 2053, 2076(f).

**Purpose(s):**

The Directorate of Field Operations and the Office of Compliance use this system to manage their operations and document the results of their investigatory activities for potential enforcement action by the Commission. The system is accessed and used in the field by supervisors, investigators, and compliance officers, and at headquarters by compliance officers and managers. It is used to monitor staff workloads and may be used to evaluate staff performance. Statistical compilations from these records may be used in reports to management, Congress, or the press.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

These records may be cited and quoted in the course of enforcement negotiations, and in pleadings filed with an adjudicative body and served on opposing counsel. They may be disclosed to the Department of Justice in connection with the conduct of litigation.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

These records are stored in a computer database system. Users of the system may make printouts of selected portions of the records from time to time.

**Retrievability:**

Information may be retrieved by any field, including personal name or identifiers, by authorized headquarters and field staff.

**Safeguards:**

Access to the computer records requires two separate passwords, one for the network on which the database resides and one for the database itself. Paper records are kept in secure locations.

**Retention and disposal:**

Computer records are kept indefinitely. Paper records are transferred to the Federal Records Center after five years.

**System manager(s) and address:**

Deputy Executive Director  
Directorate for Field Operations  
Consumer Product Safety Commission  
Washington, DC 20207

**Notification procedure:**

Freedom of Information/Privacy Act Officer  
Office of the Secretary  
Consumer Product Safety Commission  
Washington, DC 20207

**Record access procedures:**

Same as notification.

**Contesting record procedures:**

Same as notification.

**Record source categories:**

Information comes primarily from field staff and their supervisors.

**CPSC-10**

**System name:**

Procurement Files

**System location:**

Division of Procurement Services  
Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, MD 20814

**Categories of individuals covered by the system:**

Individuals who sell goods or services to the Consumer Product Safety Commission

**Categories of records in the system:**

Contracts, proposals, purchase orders, correspondence and other documents related to specific procurements from individuals. These records may include social security number, home address, bank account number, home telephone number, and sometimes other personal data. Documents related to procurements from corporations, partnerships, or other such business entities are not included in this system of records.

**Authority for maintenance of the system:**

15 U.S.C. 2076.

**Purpose(s):**

These records support all facets of the Commission's procurement activities.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

(1) To the U.S. Department of Justice when related to litigation or

anticipated litigation.

(2) To the appropriate Federal, State, or local investigation or enforcement agency when there is an indication of a violation or potential violation of statute or regulation in connection with a procurement.

(3) To a Congressional office in response to an inquiry made at the request of the individual who is the subject of the record.

(4) To the General Accounting Office in the event of a procurement protest involving the individual.

(5) To the General Services Administration Board of Contract Appeals in the event of a contract claim or dispute involving the individual.

#### **Disclosure to consumer reporting agencies:**

*Disclosures pursuant to 5 U.S.C. 552a(b)(12).* Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

#### **Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

##### **Storage:**

Records are stored in file folders. Extracts of these records, including social security number, address, and phone number, are also kept in a computer database.

##### **Retrievability:**

Records are retrieved from the computer database by personal name, contract number, and other fields. Paper records are retrieved by contract number, which may be retrieved by first searching for the personal name in the computer database.

##### **Safeguards:**

Paper records are stored in locked cabinets in a secure area. Computer records are accessible only through the use of two separate passwords, which are issued to those with a need to know.

**Retention and disposal:**

Computer records are kept indefinitely. Paper records are destroyed 6 years and 3 months after final payment.

**System manager(s) and address:**

Director, Division of Procurement Services  
Consumer Product Safety Commission  
Washington, DC 20207

**Notification procedure:**

Freedom of Information/Privacy Act Officer  
Office of the Secretary  
Consumer Product Safety Commission  
Washington, DC 20207

**Record access procedures:**

Same as notification.

**Contesting record procedures:**

Same as notification.

**Record source categories:**

Personal information in these records is normally obtained from the person to whom the records pertains, but other information may be obtained from references or past performance reports.

**CPSC-18**

**System name:**

Procurement Integrity Records

**System location:**

Division of Procurement Services  
Consumer Product Safety Commission  
4330 East West Highway

**Categories of individuals covered by the system:**

Commission employees involved in the purchase of goods or services.

**Categories of records in the system:**

Procurement Integrity Certificates. These are standard forms that are certifications that the employees to whom they pertain understand and will abide by specified laws and regulations pertaining to procurement activities. The forms include the name, signature and, for forms completed before April, 1997, the social security number of the individuals.

**Authority for maintenance of the system:**

41 U.S.C. 423(l)(2).

**Purpose(s):**

These certificates provide continuing evidence of an individual's qualification to participate in procurement activities.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Transfers to Federal, State, local, or foreign agencies when relevant to civil, criminal, administrative, or regulatory investigations or proceedings, including transfer to the Office of Government Ethics in connection with its program oversight responsibilities, or pursuant to a request by any appropriate Federal agency in connection with hiring, retention, or grievance of an employee or applicant, the issuance of a security clearance, the award or administration of a contract, the issuance of a license, grant, or other benefit, to committees of the Congress, or any other use specified by the Office of Personnel Management (OPM) in the system of records entitled "OPM/GOVT-1, General Personnel Records," as published in the Federal Register periodically by OPM.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Stored alphabetically in file folders.

**Retrievability:**

Retrieved by name of the individual to whom the record pertains.

**Safeguards:**

Records are kept in a secure area.

**Retention and disposal:**

Records are kept until no longer needed.

**System manager(s) and address:**

Director, Division of Procurement Services  
Consumer Product Safety Commission  
Washington, DC 20207

**Notification procedure:**

Freedom of Information/Privacy Act Officer  
Office of the Secretary  
Consumer Product Safety Commission  
Washington, DC 20207

**Record access procedures:**

Same as notification.

**Contesting record procedures:**

Same as notification.

**Record source categories:**

Information is supplied by the individual to whom a record pertains.



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, D.C. 20207

Honorable Fred Thompson, Chairman  
Committee on Governmental Affairs  
340 Dirksen Senate Office Building  
Washington, DC 20510-6250

Re: Privacy Act System Report

Dear Mr. Chairman:

Enclosed please find a Federal Register notice and four supporting narratives that describe Privacy Act systems of records entitled "Enforcement and Investigation Files--CPSC7", "Integrated Field System--CPSC-8", "Procurement Files--CPSC-10", and "Procurement Integrity Files--CPSC-18." The notice is being submitted to the Federal Register for publication simultaneously with the mailing of this letter.

The systems of records do not duplicate any existing Consumer Product Safety Commission or government-wide system of records. If further information is required, please contact Mr. Joseph F. Rosenthal at 301-504-0980.

Sincerely,

Todd Stevenson  
Privacy Act Officer  
Office of the Secretary

Enclosures





U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, D.C. 20207

Honorable Dan Burton, Chairman  
Committee on Governmental Reform and Oversight  
2157 Rayburn House Office Office Building  
Washington, DC 20515-6143

Re: Privacy Act System Report

Dear Mr. Chairman:

Enclosed please find a Federal Register notice and four supporting narratives that describe Privacy Act systems of records entitled "Enforcement and Investigation Files--CPSC-7", "integrate Field System--CPSC-8", "Procurement Files--CPSC-10", and "Procurement Integrity Files--CPSC-18." The notice is being submitted to the Federal Register for publication simultaneously with the mailing of this letter.

The systems of records do not duplicate any existing Consumer Product Safety Commission or government-wide system of records. If further information is required, please contact Mr. Joseph F. Rosenthal at 301-504-0980.

Sincerely,

Todd Stevenson  
Privacy Act Officer  
Office of the Secretary

Enclosures



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, D.C. 20207

Honorable Sally Katzen  
Administrator, OIRA  
Office of Management and Budget  
Att: Docket Library  
New Executive Office Building, Room 10012  
Washington, DC 20503

Re: Privacy Act System Report

Dear Ms. Katzen:

Enclosed please find a Federal Register notice and four supporting narratives that describe Privacy Act systems of records entitled "Enforcement and Investigation Files--CPSC-7", "Integrated Field System--CPSC-8", "Procurement Files--CPSC-10", and "Procurement Integrity Files--CPSC-18." The notice is being submitted to the Federal Register for publication simultaneously with the mailing of this letter.

The systems of records do not duplicate any existing Consumer Product Safety Commission or government-wide system of records. If further information is required, please contact Mr. Joseph F. Rosenthal at 301-504-0980.

Sincerely,

Todd Stevenson  
Privacy Act Officer  
Office of the Secretary

Enclosures

## Narrative Statement

### Enforcement and Investigation Files—CPSC-7

1. This system of records is established to support the Commission's efforts to investigate and prosecute violators of the Commission's statutes or regulations.
2. This system of records is maintained under authority of various enumerated statutory provisions which authorize the Commission to enforce its laws and regulations by civil or criminal actions.
3. This system of records will not affect the privacy of individuals because the personal information in the system is primarily used within the Commission, with very limited disclosure outside the Commission.
4. Access to computer files is restricted to those with a particular need to know the information -- Commission attorneys, compliance officers, and supporting technical staff. Passwords are required to access the computer files. Paper records are kept in secure areas.
5. The only routine uses are for disclosure to an adjudicative body, opposing counsel, and the Department of Justice in connection with the conduct of litigation. These routine uses are clearly compatible with, and essential for, the purpose for which the data is collected.

## Narrative Statement

### Integrated Field System—CPSC-8

1. This system of records supports the functions of the Consumer Product Safety Commission Directorate for Field Operations, including inspections, accident investigations, recall effectiveness checks and the collection of product samples for testing.
2. This system of records is maintained under authority of 15 U.S.C. 2053, which authorizes a Directorate for Field Operations and 15 U.S.C., which authorizes the purchase of product samples.
3. This system of records will not affect the privacy of individuals because the personal identifying information is voluntarily supplied by the person to whom a record pertains, and the personal identifying information is not disclosed beyond the Commission.
4. Access to the computer database is restricted to those with a particular need to know the information -- staff of the Commission's Directorate for Field Operations. In every case, two separate passwords are required to access the data, whether the user has a physical network connection to the data or uses remote control software to manipulate a headquarters computer which is physically connected to the network. Passwords are changed periodically.
5. There are no routine uses. The information is collected and used for internal purposes only.

## Narrative Statement

### Procurement Files—CPSC-10

1. This system of records supports the procurement operations of the Consumer Product Safety Commission.
2. This system of records is maintained under authority of 15 U.S.C. 2076, which is the Commission's authority for making procurements.
3. This system of records will not affect the privacy of individuals because the personal identifying information is voluntarily supplied by the person to whom a record pertains, and the personal identifying information is not disclosed beyond the Commission except in unusual circumstances related to contract disputes or irregularities.
4. Access to the computer database is restricted to those with a particular need to know the information -- employees in the Commission's Division of Procurement Services. In every case, two separate passwords are required to access the data. Passwords are changed periodically. Paper records are stored in locked cabinets in a secure area.
5. The routine uses are limited to disclosures to the Department of Justice or adjudicative bodies in connection with a protest or dispute, to a law enforcement agency where there is an apparent violations of a law or regulation, or to a Congressional office in response to an inquiry at the request of the subject individual. These routine uses are clearly compatible with the purposes for which the records are maintained.
6. The OMB Control number is 304-0059, "Procurement of Goods and Services." It expires October 31, 1999.

## Narrative Statement

### Procurement Integrity records—CPSC-18

1. This system of records covers the Procurement Integrity Certificates that the Consumer Product Safety Commission is required to keep.
2. This system of records is maintained under authority of 41 U.S.C. 423(l)(2), which requires each procurement official to make a certification.
3. This system of records will not affect the privacy of individuals because the personal identifying information (social security number) is voluntarily supplied by the person to whom a record pertains, and the personal identifying information is not disclosed beyond the Commission's Division of Procurement Services.
4. The records are kept in a secure area.
5. There are no routine uses. The records are maintained for internal agency use only.

**CONSUMER PRODUCT SAFETY COMMISSION**

16 CFR Part 1014

Privacy Act of 1974, Specific Exemptions

**AGENCY:** Consumer Product Safety Commission

**ACTION:** Final rule.

**SUMMARY:** The Consumer Product Safety Commission ("Commission") is proposing a rule to exempt a system of records from certain provisions of the Privacy Act of 1974, 5 U.S.C. 552a ("Privacy Act"), to the extent that the system contains investigatory material pertaining to the enforcement of criminal laws or compiled for law enforcement purposes.

**EFFECTIVE DATE:** [insert date 30 days after publication in the FEDERAL REGISTER]

**FOR FURTHER INFORMATION CONTACT:** Joseph F. Rosenthal, Office of the General Counsel, Consumer Product Safety Commission, Washington, D.C. 20207, telephone 301-504-0980.

**SUPPLEMENTARY INFORMATION:**

The Consumer Product Safety Commission, under a variety of statutes, is authorized to enforce its statutes and regulations through administrative actions and civil and criminal litigation. Preparation for, and conduct of, enforcement actions requires the compilation of investigatory materials such as memoranda, investigative reports, correspondence, test reports, injury reports, and

the like in a manner that facilitates easy retrieval. The two offices of the Commission that conduct enforcement actions, the Office of Compliance and the Office of the General Counsel, maintain such documentation in a system of records, identified as "Enforcement and Litigation Files--CPSC-7." Disclosure of information in these investigatory files or disclosure of the identity of confidential sources could seriously undermine the effectiveness of the Commission's enforcement actions. For example, premature disclosure of information in such files could enable subjects of an enforcement action to conceal or destroy evidence, or escape prosecution. Premature disclosure of this information could also lead to the possible intimidation of, or harm to, informants, witnesses, or Commission personnel and their families. Further, the imposition of certain Privacy Act restrictions on the manner in which information is collected, verified, or retained could significantly impede the effectiveness of an enforcement action.

Thus, the Commission is issuing a rule to exempt this system of records from certain provisions of the Privacy Act where application of the Privacy Act would interfere with the investigation and conduct of an enforcement action. Section (k)(2) of the Privacy Act, 5 U.S.C. 552a(k)(2), provides the authority for agencies to exempt records containing investigatory material compiled for law



enforcement purpose from certain other provisions of the Act.

16 CFR 1014.12 currently exempts other systems of records from certain requirements of the Privacy Act. This rule adds a new paragraph to § 1014.12 to exempt the enforcement and litigation files from certain requirements of the Privacy Act.

Pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605(b), the Commission certifies that this rule will not have a significant impact on a substantial number of small entities. Since the rule does not require any actions to be taken, the Commission also certifies that this rule will have no environmental impact, will not preempt any state or local laws or regulations, and will have no impact on family maintenance and well being and no implications for federalism.

#### **List of Subjects in 16 CFR Part 1014**

##### **Privacy**

For the reason stated in the preamble, Chapter II, Title 16 of the Code of Federal Regulations is amended as follows:

#### **Part 1014--Policies and Procedures Implementing the Privacy Act of 1974**

1. The authority citation for part 1014 continues to read as follows:

Authority: Privacy Act of 1974 (5 U.S.C. 552a).

2. Section 1014.12, *Specific exemptions*, is amended by adding paragraph (c) to read as follows:

\* \* \* \* \*

(c) *Enforcement and Litigation Files--CPSC-7*. All portions of this system of records which fall within 5 U.S.C. 552a(k)(2) (investigatory materials compiled for law enforcement purposes) are exempt from 5 U.S.C. 552a(c)(3) (mandatory accounting of disclosures); 5 U.S.C. 552a(d) (access by individuals to records that pertain to them); 5 U.S.C. 552a(e)(1) (requirement to maintain only such information as is relevant and necessary to accomplish an authorized agency purpose); 5 U.S.C. 552a(e)(4)(G) (mandatory procedures to notify individuals of the existence of records pertaining to them); 5 U.S.C. 552a(e)(4)(H) (mandatory procedures to notify individuals how they can obtain access to and contest records pertaining to them); 5 U.S.C. 552a(e)(4)(I) (mandatory disclosure of records source categories); and the Commission's regulations in 16 CFR part 1014 which implement these statutory provisions.

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Sadye E. Dunn,  
Secretary  
Consumer Product Safety Commission